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December 5, 2018

VIA ECF

Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Richardson v. The City of New York, et al., 15 cv 5775 (PKC)

Plaintiff has  
appropriate remedies  
available. Request to  
reopen prior to  
the date set  
by the Court and  
the Court reopen and  
set a conference to  
reopen and expedite the case to trial.  
will do so or do not do so  
12-5-18

Dear Honorable Judge Castel:

Please remember that I am counsel of record for this matter. On November 8, 2018, Counsel for the defendants informed this honorable Court that the matter had been settled. *Docket 109*. On the same date, this honorable Court entered an order of dismissal, with a 45 day window to reopen the case. *Docket 110*. That date would expire on or around December 24, 2018.

Unfortunately, to date, the defense has failed to share proposed settlement paperwork in this matter. The undersigned contacted defense counsel more than five (5) times<sup>1</sup> since the settlement was reached in principle, but have not yet received settlement paperwork. On November 19<sup>th</sup>, defense counsel wrote the paperwork would not be finalized until after 11/26/18, and on November 20<sup>th</sup>, defense counsel wrote, "I do not foresee a problem getting them to you next week." That week has passed and the defense documents are still not provided.

In the past two days, I have sought a date certain to obtain the paperwork and have been assured this is just a busy time for the defense and is not an intentional delay. Plaintiffs' counsel has no reason to disbelieve this representation. Nevertheless, the City takes in excess of ninety (90) days to issue a check once the paperwork is received, and has now taken thirty (30) days since settlement and has not yet shared proposed settlement paperwork.

By this letter, plaintiff requests (1) that the defense be given a deadline of December 7, 2018, to submit settlement paperwork to the plaintiff; (2) the City be ordered to expedite payment for plaintiff since they have already delayed completion of the settlement by thirty (30) days and (3) this honorable Court extend the date for a party to file an application to reopen the case for an additional forty-five days from the date the defense submits its settlement paperwork to the plaintiff.

Respectfully submitted,

- /s/ -

Wylie M. Stecklow, Esq.

<sup>1</sup> November 9, 19, 20, 29, 30, December 3, 4, 2018.